

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Case Number 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER SUSTAINING, IN PART, THE CITY OF DETROIT'S  
OBJECTION TO CLAIM NUMBER 799 FILED BY DARRYL CAIN**

This case is before the Court on the *City of Detroit's Objection to Claim Number 799 Filed by Darryl Cain* (Docket # 13246, the "Claim Objection").

Upon proper notice and a hearing, the Court being fully advised in the premises, all responses to the Objection having been given due consideration, and there being good cause to grant the relief requested, and for the reasons stated by the Court on the record during the hearing held on March 18, 2020,

**IT IS ORDERED THAT:**

1. The Claim Objection is sustained to the extent provided in this Order.
2. Claim Number 799 filed by Darryl Cain (the "Claim") will be liquidated by entry of a final judgment in Case Number 13-10525, currently pending in the United States District Court for the Eastern District of Michigan (the "District Court Case").

3. Following such liquidation of the Claim, the Claim will be treated as a Class 15 Convenience Claim against the City, as that term is defined in the Plan,<sup>1</sup> in the liquidated amount of the Claim (if any) or \$25,000, whichever is less, and will be treated in accordance with the terms of the City's Plan.

4. This Order is without prejudice to the right of Darryl Cain to file a motion challenging the treatment of the Claim as a Class 15 Convenience Claim, rather than under some other Class under the Plan. If Darryl Cain chooses to file such a motion, it must be filed in this Court ***no later than April 17, 2020.***

5. This Order will neither act as an admission by the City of any liability to Darryl Cain nor compromise in any way Darryl Cain's claims against the City in the District Court Case.

6. Once the Claim has been liquidated in the District Court Case by entry of a final judgment in that case (or if the City and Darryl Cain should agree on a liquidated amount for the Claim), the City's claims agent is authorized to update the claims register to reflect the liquidated amount of the Claim.

7. The Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

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<sup>1</sup> *Eighth Amended Plan of the Adjustment of Debts of the City of Detroit*, filed at Docket # 8045 and as confirmed with minor modifications by the order entered at Docket # 8272.

**Signed on March 18, 2020**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**